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| PUBLIC MEETING MINUTES: | Special Law Enforcement Assistance Fund |
| MEETING DATE AND TIME: | Tuesday, September 12, 2:00 PM |
| PLACE: | Dover Police Department – Assembly Room 400 S Queen St. – Dover, DE 19904 |

SLEAF Committee Members Present:

- (1) Sean Lugg, State Prosecutor, Delaware Department of Justice
- (2) Major Rob Hudson, Delaware State Police
- (3) Captain Benjamin Feldmann, New Castle County Police Department
- (4) Captain James Gestwick, Wilmington Police Department
- (5) Chief Marvin Mailey, Jr., Dover City Police Department
- (6) Chief Laura Giles, New Castle County
- (7) Capt. Gary Bailey, Sussex County
- (8) Jeffrey Horvath, Kent County

Administrative Staff Present:

Kimberly Moro, Delaware Department of Justice
Andrea Godfrey, Delaware Department of Justice
Patricia Davis, DAG, Delaware Department of Justice

Call to Order

State Prosecutor Sean Lugg called the meeting to order at 2:00 PM.

Opening Remarks

Mr. Lugg acknowledged another change of administrative staff since the last meeting. Bobby Dube is no longer with the Department of Justice, having taken an opportunity to obtain another degree to compliment his law degree. There may be future changes or additions to the four members present today.

Review and Approval of Minutes

Following confirmation of the accuracy of the previous meeting's minutes, Chief Giles moved to approve the May 31, 2017 meeting minutes and Capt. Feldmann seconded the motion. Upon motion duly made and seconded, the SLEAF Committee unanimously approved the minutes.

Discussion of SLEAF Regulations

Mr. Lugg stated that the next agenda item – a standing item - SLEAF Policy and Regulations. Mr. Lugg asked Committee if there were any topics members wished to bring forward. Mr. Lugg

reminded that this will be a standing item on the agenda as we work to develop formal procedures. Ms. Davis is counsel to this Committee and has been diligently working on this and finding ways for all to better do this job and will continue to do so. Adjustments were discussed at the last meeting. Drafts of those will be circulated prior to the next meeting. Any changes or further adjustments noted in the previous minutes or those which may be influenced by this proceeding, will be discussed at future meetings. Mr. Lugg reminded this will be a standing item.

Six Committee members are present, two are currently absent, but expected. The Committee is sufficiently staffed to go forward under the Statute. Confirmed by Ms. Davis, Counsel to the Committee.

Consideration of SLEAF Applications

Mr. Lugg next presented pending SLEAF applications to the Committee. Mr. Lugg stated that there is currently \$977,324.70 in SLEAF application requests, and there is \$498,875.00 in available SLEAF funds.

A correction to the spreadsheet was addressed: **Application 17-039** (Police Chiefs Council) is indicated on the form as \$15,000.00 but it was timely submitted for 2 items totaling \$35,000. The correction was made and is included in the totals previously started.

Secondly, with respect to **Application 17-025** (DRBA) was matter discussed at end of last meeting but was imperfect at the time and but perfected in the interim and now totals \$78,690.00 slightly up from \$74,805.00 previously submitted. These too are reflected in the totals provided.

In light of the \$478,449.70 shortfall, Mr. Lugg then asked if anyone had any applications they would like to withdraw:

1. Agency: Laurel PD / Application # 17-004

Officer Adam Hitchens requested to withdraw this application in the amount of \$13,849.77

2. Agency: Police Chiefs Council / Application # 17-039

Jeffrey Horvath moved to table the \$15,000 request to fund the DPCC Annual Staff Development Seminar and thereby amend the total amounted requested to \$20,000. Mr. Lugg seconded.

The following departments applying for SLEAF funds were not present: South Bethany PD, Dover PD, Delaware City, PD, Oceanview PD. Applications submitted by these agencies, described below, were tabled in the absence of an agency representative.

3. Agency: South Bethany PD / Application #: 16-071

The Committee reviewed the application for funding for the purchase to send two officers to the SMILE conference. The application seeks \$4,438.00. Due to the fact that there were no representatives from the South Bethany PD present, a motion to table the application until the next SLEAF meeting was made by Chief Giles, seconded by Mr. Horvath. The application was tabled until the next SLEAF meeting.

4. Agency: Dover PD / Application #: 16-077

The Committee reviewed the application for funding for the purchase of a 3D Laser Scanner. The application seeks \$77,489.00. Due to the fact that there were no representatives from the

Dover PD present, a motion to table the application until the next SLEAF meeting was made by Chief Giles, seconded by Capt. Gestwicki. The application was tabled until the next SLEAF meeting. Mr. Lugg would permit a motion to un-table when Dover PD arrived.

5. Agency: Delaware City PD / Application #: 16-095

The Committee reviewed the application for funding for the purchase of six Taser AXON body worn cameras and evidence.com system. The application seeks \$10,215.00. Due to the fact that there were no representatives from the Delaware City PD present, a motion to table the application until the next SLEAF meeting was made by Capt. Feldmann, seconded by Capt. Gestwicki. The application was tabled until the next SLEAF meeting.

6. Agency: Oceanview PD / Application#: 17-051

The Committee reviewed the application for funding for the purchase of a shed for police vehicle storage. The application seeks \$5,300.00. Due to the fact that there were no representatives from the Oceanview PD present, a motion to table the application until the next SLEAF meeting was made by Major Hudson, seconded by Mr. Horvath. The application was tabled until the next SLEAF meeting.

7. Agency: Dover PD / Application #: 17-049

The Committee reviewed the application for funding for the purchase of computer equipment to upgrade and condense the Department's internal server structure. The application seeks \$66,000.00. Due to the fact that there were no representatives from the Dover PD present, a motion to table the application until the next SLEAF meeting was made by Major Hudson, seconded by Mr. Horvath. The application was tabled until the next SLEAF meeting.

At the time of the roll call, Dover PD was not present, however Chief Mailey arrived soon after.

SLEAF Applications Tabled From Last Meeting

8. Agency: Bridgeville PD / Application #16-051

The Committee reviewed the application for funding to support the purchase of a utility vehicle for rural patrol and search and rescue. Officer Parker noted the Department currently rents golf carts for festival events which they would no longer need to do. The Department is offsetting the total cost with outside grants. The application seeks \$9,850.00. A motion to approve was made by Major Hudson and seconded by Mr. Horvath. The application was unanimously approved.

9. Agency: New Castle City / Application #16-063

The application was previously withdrawn.

10. Agency: Capitol PD / Application #16-066

The application was previously withdrawn.

11. Agency: Smyrna PD / Application #16-073

The Committee reviewed the application for funding to purchase and upgrade for 8 Tasers X2 weapons, and cartridges, holsters, batteries and warranty/service. The application seeks \$13,441.56. A motion to approve was made by Mr. Horvath, seconded by Chief Giles. The application was unanimously approved.

Chief Mailey, Dover PD arrived during the discussion for Application 16-073 and took his seat on the dais.

12. Agency: Delaware Capitol PD / Application #16-074

The Committee reviewed the application to purchase AED kits for all patrol cars. The application seeks to use \$5,746.20. A motion to approve was made by Major Hudson, seconded by Captain Gestwicki. The application was unanimously approved.

13. Agency: Dover PD / Application #16-077

At the onset of the meeting, the Committee passed on this request as the Dover Representative was not present. Upon arrival of Chief Mailey, Mr. Lugg explained the shortfall and the sensitivity to same. Mr. Lugg made motion to lift from the table those Dover PD's applications. Capt. Feldmann seconded.

The Committee reviewed the application to purchase a Laser Scanner. The application seeks \$77,489.00. Chief Mailey requested to withdraw this application.

14. Agency: Wilmington PD / Application #17-009

The Committee reviewed the application to purchase a K9 police bomb dog to replace one who died unexpectedly. The application sought \$7,000.00. There was some discussion last time concerning the use of SLEAF funds for this purpose. Major Hudson pulled notes from previous requests and Mr. Lugg believed those notes indicated this purchases have occurred in the past. Given the unexpected death, this is not deemed an operational cost. A motion to approve was made by Major Hudson, seconded by Capt. Feldmann. Capt. Gestwicki recused himself. The application was unanimously approved.

15. Agency: Harrington PD / Application #17-021:

The Committee reviewed the application to purchase 2 COBAN in car systems, camera and mounting equipment. Harrington PD is attempting to equip all of their patrol cars with in camera systems. The application seeks \$11,448.00. A motion to approve was made by Major Hudson, seconded by Chief Mailey.

16. Agency: Delaware River and Bay Authority PD / Application #17-022

The Committee reviewed the application to fund Body Worn Cameras for 66 officers. The application seeks \$78,690.00. Mr. Horvath suggested the Committee might want to wait until the Body Worn Camera Committee comes forward with their plans. Mr. Lugg noted this worthwhile considering there is an active assessment of Body Worn Camera technology currently underway that will impact the decision for a universal provider or uniform technological requirements. Prior Board Chairpersons have decided not to fund Body Worn Cameras specifically or in general until the work of the Committee is complete. Mr. Horvath provided update that to his understanding, proposal requests are ready to be posted for camera and storage options, however he is unsure if they have actually been posted at this time. Mr. Lugg moved to table this discussion pending consideration of the RFP and in the hopes that a universal system is developed. Major Hudson seconded.

17. Agency: Delaware State PD / Application #17-026

The Committee reviewed the application for funding the operations of CrimeStoppers at Delaware State Police Headquarters. The application seeks \$33,000.00. Major Hudson raised the discussion about auditing issues facing Delaware State Police (DSP) for requesting monies for organizations for which they did not have financial oversight. Lugg agrees and thinks this warrants further discussion given the statutory parameters under which SLEAF operates. CrimeStoppers is cause worthy of approval however questions regarding the appropriateness of using DSP as a "passthrough" statutorily. Historical data may not be the deciding factor. Mike Lawson, spoke on behalf of CrimeStoppers, welcoming DSP to review their financial records. The program is failing financial and facing dissolution. Mr. Lawson indicated not only the need for the requested amount, but for an increase to \$45,000.00. In addition to SLEAF, CrimeStoppers has one financial contributor and fundraising money. Mr. Lugg refers to statute, the purpose of SLEAF grants "is to enhance the suppression, investigation, and prosecution of criminal offenses, promote officer safety, facilitate law enforcement training, further public safety, public education, and community awareness, and

finally to improve victim services.” Prior and current discussion is what is a law enforcement agency? And does the request meet the SLEAF objectives?” There no provisions in the request that would benefit DSP. Mr. Lugg believes the CrimeStoppers objectives probably do, but the issue becomes about oversight issues. Major Hudson mentions creation of an MOU (Memorandum of Understanding). Major Hudson wishes for approval because of the outstanding work of CrimeStoppers, concern is primarily about auditing and oversights. Chief Giles suggests DSP audit the CrimeStoppers accounts prior to their SLEAF audit. Major Hudson then suggests tabling the application so that avenue may be discussed further.

Ms. Davis raises the discussion of “passthroughs” and the issues they create. Ms. Davis suggests making a decision if CrimeStoppers in and of itself was a Law Enforcement Agency and could participate independently at these meetings, thus potentially solving the issue. Regardless of that, Ms. Davis expresses concern about the use of “passthroughs” and intends to add it to future agendas.

Mr. Lugg requests clarification if the request is to table for further discussion or to vote. Major Hudson wishes for vote. Mr. Lugg reiterates the need to discuss the definition of law enforcement agency and the objectives of SLEAF with respect to not only CrimeStoppers but other similar and worthwhile organizations. A motion to approve was made by Chief Giles, seconded by Mr. Horvath. Mr. Lugg and Capt. Feldmann voted no. Major Hudson recused himself. The application was approved by a 5-2 vote with one recusal.

18. Agency: Delaware State Police / Application #17-027

The Committee reviewed the application to purchase items and upgrades for the Explosives Disposal Unit, to include breaching charges, bomb gear, technician tools and robotic maintenance. The application initially sought \$49,500.00. Major Hudson wishes to reduce the request to \$25,000. Major Hudson confirms this outside normal operating expenses. A motion to approve was made by Capt. Feldmann, seconded by Chief Giles. Major Hudson recused himself. The application was unanimously approved.

19. Agency: Blades PD / Application #17-028

The Committee reviewed the application for funding to upgrade car radios to newer models the State will be converting to in the future. The old radios will be traded for rebate. The application seeks \$5,424.00. A motion to approve was made by Chief Giles, seconded by Major Hudson. The application was unanimously approved.

20. Agency: Capitol PD / Application #17-029

The Committee reviewed the application requesting to purchase 12 biometric safes to store weapons, ammunition, Narcan and medical supplies. The application seeks \$6,000.00. A motion to approve was made by Mr. Horvath, seconded by Chief Mailey. The application was unanimously approved.

21. Agency: Laurel PD / Application #17-030

The Committee reviewed the application for funding for new radios. The application initially seeks \$15,658.59. Laurel PD intends to keep the old radios and use SLEAF funds to purchase additional radios for newly hired officers. Capt. Feldmann questioned technology upgrade or operation cost to outfit new officers, which is not applicable under SLEAF. Laurel PD agrees to trade-in old radios for upgrades, thus being eligible for newer versions. This concession reduces the requested amount to \$10,858.59. By reducing the amount, Laurel seeks to make technological upgrades to existing radios rather than purchase additional radios which would be operational expenses. A motion to approve was made by Mr. Horvath, seconded by Capt. Feldmann for reduced amount. The application was unanimously approved.

22. Agency: Delaware State Police / Application #17-031

The application requests funding to replace a Forensic Computer Station in the amount of \$49,635.00. Mr. Horvath requested a current balance on available funds. Mr. Lugg indicated \$371,106.65 remained in available funds. Major Hudson requests to table this application.

23. Agency: Delaware State Police / Application #17-032

The Committee reviewed the application for funding for pilot training. The application seeks \$90,000.00. Major Hudson requests a reduction to \$50,000.00. Request is for mandatory training for all 12 DSP pilots in the Statewide Aviation Unit on the Bell 407 and 429 model aircraft. This is the first year requiring certification for both the models mentioned above. A motion to approve was made by Capt. Gestwicki, seconded by Chief Mailey. Major Hudson recused himself. The application was unanimously approved.

24. Agency: Delaware State Police / Application #17-033

The Committee reviewed the application for funding for a camera system to record and provide diagnostic feedback on officer firearms training. The application seeks \$67,350.00. Delaware State Police have opened their Firing Range to more outside agencies and municipalities statewide thus permitting night training when there are no instructors present. As a result, the Range requires an upgrade to the cameras currently in use and for the installation of new cameras to record for diagnostic training. Brian Fitzpatrick spoke. The current outdoor cameras are outdated and incompatible with Windows10, which the State requires. At present, recordings cannot be downloaded. Compatible indoors cameras need to be purchased for the same purpose, as none exist currently. In response to a question, Mr. Fitzpatrick indicated the recording were useful to aid instructors in evaluating officers and providing tactile feedback and documentation during debriefing sessions with certifying officers. A motion to approve was made by Captain Feldmann, seconded by Mr. Horvath. Major Hudson recused himself. The application was unanimously approved.

25. Agency: Ellendale PD / Application #17-034

The Committee reviewed the application for a new model radio and microphone accessories to upgrade from previous versions. Ellendale PD will trade-in the older model for a rebate offsetting the total cost. The application seeks \$2,743.56. A motion to approve was made by Mr. Horvath, seconded by Chief Giles. The application was unanimously approved.

26. Agency: Ellendale / Application #17-035

The Committee reviewed the application to fund per diem, travel and lodging expenses for one officer to attend Taser V20 Instructor Training. Funding for the training itself was previously approved but space in the training class required Ellendale PD to travel out of state for the next available class. The application seeks \$498.40. A motion to approve was made by Chief Mailey, seconded by Mr. Horvath. The application was unanimously approved. Major Hudson requested confirmation that room/board items alone were SLEAF applicable. Ms. Davis confirms it is permissible in connection to training. If Ellendale had known of the issue at the last meeting they would have included both training and lodging expenses in the same request.

27. Agency: Delaware Department of Justice/ Application #17-036

The Committee reviewed the application to covers expenses for posting legal notice of forfeitures as required by Statute. The application seeks \$10,000. A motion to approve was made by Major Hudson, seconded by Captain Feldmann. Mr. Lugg recused himself. The application was unanimously approved.

28. Agency: Smyrna PD / Application #17-037

The application seeks \$7,736.69. The representative was not prepared to present and wished to table to the next meeting. The application was tabled.

29. Agency: New Castle City PD / Application #17-038

The Committee reviewed the application to one LIFEPAK 1000 AED Unit to replace a LIFEPAK 500 version which will be traded in. Confirmed to be an upgrade. The application seeks

\$1,965.40. A motion to approve was made by Major Hudson, seconded by Capt. Gestwicki. The application was unanimously approved.

30. Agency: Delaware Police Chiefs' Council/ Application #17-039

Application reduced to \$20,000.00. The original request was \$35,000.00: \$15,000.00 of that was for the annual seminar. Request made to table that since does not happen until next May. The remaining request for \$20,000.00 is to maintain the Council which coordinates all law enforcement in the state. Grant money has been requested as well as fundraisers to subsidize total costs. Amounts being requested over the years has gone down. Assurance given to Captain Feldmann requested assurance that funds are not going to building maintenance or anything similar, salaries or normal operating expenses. A motion to approve was made by Major Hudson, seconded by The application for \$20,000.00 was unanimously approved. Mr. Horvath recused himself.

31. Agency: Wilmington PD / Application #17-040

The Committee reviewed the application for replacement of 2 of the 5 unmanned aerial vehicles (UAV). Current UAVs reaching their life expectancy and battery life may create potential hazard. They will be available for use statewide. The application seeks \$44,000.00. Grants being sought elsewhere for the maintenance of the UAVs. Approval for one versus two is beneficial. New technology developments make previous batteries/accessories obsolete. No plans to make this request every 200 hours of life expectancy. A motion to approve was made by Major Hudson to approve one, seconded by Chief Giles? Capt. Gestwicki recused himself. The application was unanimously approved for \$22,000.00.

32. Agency: Wilmington PD / Application #17-041

The Committee reviewed the application to purchase Fatal Collision Equipment 3D laser scanner for reconstruction and mapping. The application seeks \$47,000.00. Captain Gestwicki requested to table to next meeting.

33. Agency: Delaware Alcohol and Tobacco Enforcement / Application #17-042

The Committee reviewed the application to purchase 17 Taser and accessories to replace and upgrade existing models. Older models will be traded in and no warranty costs will be added. The application seeks \$19,753.38. A motion to approve was made by Mr. Horvath, seconded by Major Hudson. The application was unanimously approved.

The Chief Giles of Elsmere Police Department left the meeting prior to the vote in 17-042, however quorum is maintained.

34. Agency: Elsmere PD / Application #17-043

With the absence of Chief Giles, Mr. Lugg makes motion to table until next meeting, seconded by Major Hudson. The application was tabled.

35. Agency: New Castle County PD / Application #17-044

The Committee reviewed the application for Interview and Interrogation Training (REID) for 30 officers. The application seeks \$14,000.00. Lt. Atallian explains request for 30 seats, 15 of which will be offered to agencies outside New Castle County Police Department. A motion to approve was made by Major Hudson, seconded by Mr. Horvath. Captain Feldman recused himself. The application was unanimously approved.

36. Agency: New Castle County PD / Application #17-045:

The Committee reviewed the application for Street Crimes/Street Survival Training for 30 officers. The application seeks \$7,000.00. Lt. Atallian explains request for 30 seats, 15 of which will be offered to agencies outside New Castle County Police Department. A motion to approve was made by Major Hudson, seconded by Mr. Horvath. Captain Feldman recused himself. The application was unanimously approved.

37. Agency: New Castle County PD / Application #17-046:

The Committee reviewed the application for upgrade to Mobile Field Force Equipment for SWAT team: 32 riot suits, 5 ballistic helmets. The application seeks \$15,000.00. A motion to approve was made by Major Hudson, seconded by Chief Mailey. Captain Feldman recused himself. The application was unanimously approved.

38. Agency: New Castle County PD / Application #17-047:

The Committee reviewed the application for Corner House Basic Forensic Interview on-site Training, including outside agencies. The application seeks \$1,000.00. A motion to approve was made by Major Hudson, seconded by Chief Mailey. Captain Feldman recused himself. The application was unanimously approved.

39. Agency: New Castle County PD / Application #17-048:

The Committee reviewed the application for Desert Snow Interdiction Training for 50 officers including outside agencies – involves terroristic and smuggling interdiction training. The application seeks \$30,000.00. By negotiating to bring the training on site, NCCPD saved substantially. A motion to approve was made by Major Hudson, seconded by Mr. Horvath. Captain Feldman recused himself. The application was unanimously approved.

40. Agency: Dover PD / Application #17-049:

The Committee reviewed the application for the purchase of computer equipment to upgrade Department's internal server structure. The application seeks \$66,000.00. It is for police operations only, increasing ability to store data in large quantities. Mr. Horvath notes success with this type request in the past. Mr. Lugg expresses concern at a reliance on SLEAF funds because Department funds have been denied. Mr. Horvath likens the request to an upgrade for officer radios – technology upgrade. A motion to approve was made by Mr. Horvath, seconded by Captain Feldmann. Captain Mailey recused himself. The application was unanimously approved.

41. Agency: Delaware State Police / Application #17-050:

Major Hudson requests tabling the application seeking \$60,847.30 for purchase of a LaserShot Simulator. The application tabled.

42. Agency: Delaware State Police / Application #17-052:

The Committee reviewed the application for the purchase of upgraded throw phones for the Crisis Management Team (CMT) including vehicle installation and accessories. The application seeks \$29,169.85. A motion to approve was made by Captain Feldmann, seconded by Chief Mailey. Major Hudson recused himself. The application was unanimously approved.

43. Agency: Delaware Department of Justice / Application #17-053:

The Committee reviewed the application for funds to send several prosecutors to specific trainings: speaker for the DOJ Retreat, Sexual Assault Campus training, National Training Center, Elder Abuse Training, Prosecutor 101 training and Digital Prosecution training. The application seeks \$30,000.00. Mr. Lugg requests to amend this current request to \$14,626.06 and table the remaining \$15,373.94. A motion to approve was made by Major Hudson, seconded by Captain Gestwicki. Mr. Lugg recused himself. The application was unanimously approved.

Mr. Lugg asked if there were any applications that have not been considered by those present. Hearing none, he proceeded to the next topic of discussion.

Public Comment

None.

Next Scheduled Meeting

Was not announced

Adjournment

With no further business before the SLEAF Committee, Major Hudson moved to adjourn the meeting, Mr. Horvath seconded the motion. The motion carried unanimously. The meeting adjourned at 3:20 PM.

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